

**9-7-B. Part C, Underground Injection Control: Findings of Violation and Notification  
(1200 TN 350 9-7B)**

1. **AUTHORITY.** To perform the following functions relating to enforcement pursuant to the Safe Drinking Water Act, Part C, Underground Injection Control Program:
  - a. Pursuant to section 1423(a)(1) of the SDWA, finding that a person is violating a requirement of an applicable underground injection control program during a period in which a State has primary enforcement responsibility for underground water sources, and notifying the primacy State and persons violating an underground injection control program requirement of such a finding; and
  - b. Pursuant to section 1423(a)(2) of the SDWA, finding that a person is violating a requirement of an applicable underground injection control program during a period in which a State does not have primary enforcement responsibility for underground water sources.
2. **TO WHOM DELEGATED.** Director, Water Protection Division (WPD); associate director, Office of Drinking Water and Source Water Protection, WPD; and chief, Ground Water and Enforcement Branch, WPD.
3. **LIMITATIONS.**
  - a. The delegates must consult with regional counsel before exercising these authorities.
4. **REDELEGATION AUTHORITY.**
  - a. These authorities may be redelegated to the branch chief level and no further. These authorities may not be redelegated without formal amendment.
  - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
  - a. See delegations:
    - i. 9-16-A, "Civil Judicial Enforcement Actions";
    - ii. 9-17, "Emergency Administrative Powers"; and
    - iii. 9-34, "Administrative Penalties and Compliance Orders With Administrative Penalties—Underground Injection."
  - b. EPA Guidance on UIC Administrative Order Procedures
6. **SUPERSESSION.** Delegations Manual, SDWA, Regional Delegation 9-7-B. Finding and Notification of Violation – Part C, 12000 TN RIII-138 (October 26, 2000).

Date 1/18/2017

  
Shawn M. Garvin  
Regional Administrator